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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

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March 3, 2009

John P. Stoddard
JP&R Excavation and Topsoil, Inc.
9222 North Deerfield Circle
Eagle Mountain, Utah 84043

Subject: Denial of Bond Release and File Closure, JP&R Excavation and Topsoil, Inc. Donna Gibson Mine, S0350028, Salt Lake County, Utah

Dear Mr. Stoddard:

On February 5, 2009, we received documentation from you that others are mining within your reclaimed permit boundary, and you requested release of your reclamation surety on this basis. The Division cannot release the surety or close your file until the site has been satisfactorily reclaimed, and we suggest that the mining permit be transferred to the operator who is mining. Such a transfer would reassign the responsibility for this mining operation to the new operator.

The transfer form can be found at: <http://ogm.utah.gov/minerals/MINERALSFORMS.htm>. The new operator would then become the official party responsible for all mining and reclamation obligations for this project including any land disturbed outside the boundaries of the area you designated for mining. It would also be necessary for the new operator to submit a reclamation surety and reclamation contract. The Division could release your reclamation surety once the new surety has been received.

If you have any questions or concerns regarding this letter, please contact me at (801) 538-5261 or Leslie Heppler at (801) 538-5257. In response, Please reference our file number E/035/0028 regarding this project.

Sincerely,

Paul B. Baker
Minerals Program Manager

PBB:lah:vs

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